

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1651 be amended to read as follows:

1 Page 3, between lines 15 and 16, begin a new paragraph and insert:
2 "SECTION 4. IC 36-1-17 IS ADDED TO THE INDIANA CODE
3 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2005]:

5 **Chapter 17. Term Limits of Executives**

6 **Sec. 1. (a) This section applies if at least the number of the**
7 **registered voters equal to fifteen percent (15%) of the total vote**
8 **cast at the most recent election for secretary of state in a county**
9 **sign a petition submitted to the circuit court clerk of the county**
10 **requesting that a local public question concerning the number of**
11 **consecutive terms that an individual elected as a member of the**
12 **county executive may serve.**

13 **(b) The county election board shall place the following question**
14 **on the ballot in the county during the next primary or general**
15 **election:**

16 **"Shall an individual elected as a county commissioner of**
17 **_____ County be limited to serving as a county commissioner to**
18 **not more than eight (8) years in any twelve (12) year period?".**

19 **(c) A public question under this section shall be placed on the**
20 **ballot in accordance with IC 3-10-9 and must be certified in**
21 **accordance with IC 3-10-9-3.**

22 **(d) The circuit court clerk of a county holding an election under**
23 **this section shall certify the results determined under IC 3-12-4-9**
24 **to both of the following:**

25 **(1) The county election board.**

1 (2) The county executive of the county.

2 (e) If a public question under this section is placed on the ballot
3 in a county and the voters of the county do not vote in favor of the
4 public question, a second public question under this section may
5 not be held in that county for at least two (2) years. If the voters of
6 the county vote to reject a public question under this section a
7 second time, a third or subsequent public question under this
8 section may not be held in that county until the general election
9 held during the tenth year following the year that the previous
10 public question was placed on the ballot.

11 (f) If a public question under this section is placed on the ballot
12 in a county and the voters of the county vote in favor of the public
13 question, the following apply:

14 (1) An individual elected as a member of the county executive
15 may not serve as a member of the county executive for more
16 than eight (8) years in any twelve (12) year period.

17 (2) A period of time an individual has served as a member of
18 the county executive before the voters of the county approve
19 a public question under this section may not be considered for
20 purposes of determining the limitation described in
21 subdivision (1).

22 Sec. 2. (a) This section applies if at least the number of the
23 registered voters equal to fifteen percent (15%) of the total vote
24 cast at the most recent election for secretary of state in a city sign
25 a petition submitted to the circuit court clerk of the county
26 containing the city requesting that a local public question
27 concerning the number of consecutive terms that an individual
28 elected as the mayor of the city may serve.

29 (b) The county election board shall place the following question
30 on the ballot in the city during the next primary or general
31 election:

32 "Shall an individual elected as mayor of the City of _____ be
33 limited to serving as mayor to not more than eight (8) years in any
34 twelve (12) year period?".

35 (c) A public question under this section shall be placed on the
36 ballot in accordance with IC 3-10-9 and must be certified in
37 accordance with IC 3-10-9-3.

38 (d) The circuit court clerk of a county in which a city holding an
39 election under this chapter is located shall certify the results
40 determined under IC 3-12-4-9 to all of the following:

41 (1) The county election board.

42 (2) The mayor of the city.

43 (3) The city's legislative body.

44 (e) If a public question under this section is placed on the ballot
45 in a city and the voters of the city do not vote in favor of the public
46 question, a second public question under this section may not be

1 held in that city for at least two (2) years. If the voters of the city
2 vote to reject a public question under this section a second time, a
3 third or subsequent public question under this section may not be
4 held in that city until the general election held during the tenth
5 year following the year that the previous public question was
6 placed on the ballot.

7 (f) If a public question under this section is placed on the ballot
8 in a city and the voters of the city vote in favor of the public
9 question, the following apply:

10 (1) An individual elected as the mayor of the city may not
11 serve as mayor of the city for more than eight (8) years in any
12 twelve (12) year period.

13 (2) A period of time an individual has served as the mayor of
14 the city before the voters of the city approve a public question
15 under this section may not be considered for purposes of
16 determining the limitation described in subdivision (1).".

17 Renumber all SECTIONS consecutively.

(Reference is to HB 1651 as printed February 22, 2005.)

Representative Aguilera